



Town of Southern Shores

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Ordinance No. 2006-02-01

AN ORDINANCE OF THE SOUTHERN SHORES TOWN COUNCIL AMENDING THE ZONING ORDINANCE RELATING TO CHARITY EVENT SIGNS

Dare County, North Carolina

Be It Ordained by the Southern Shores Town Council as follows:

Article I: Purpose

The purpose of this Ordinance is to amend the Zoning Ordinance of Southern Shores, Dare County, North Carolina, which was originally adopted by the Town Council on July 7, 1981 and subsequently amended.

Article II. Construction

For purposes of this Ordinance, underlined words and numbers (underline) shall be considered as additions to existing Zoning Ordinance language and strikethrough words (~~strikethrough~~) shall be considered deletions to existing language. Language of the existing Ordinance shall be shown in italics (*italics*).

Article III. Amend Section 3.02 – Southern Shores Zoning Ordinance – Definitions

Section 3.02 of the Southern Shores Zoning Ordinance is hereby amended as follows:

SIGN: Any surface, fabric, or device bearing lettered, pictorial or sculptured matter designed to convey information visually and exposed to public view, or any structures, including billboards or poster panels designed to carry visual information.

1. *SIGN, NON-COMMERCIAL: A sign structure designed and intended to promote, support, call attention to, or give notice to a cause, non-profit and non-commercial service, or political message of an individual, charitable organization, political group or other entity. Any symbols, letters or other identifying characteristics describing the sponsor of a non-commercial sign shall not exceed four (4) inches in height and may not be repeated on the same face of the sign. A non-commercial sign shall*

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contain no commercial advertising or statements, logos, designs or trademarks designed or intended to promote or produce financial gain other than donations for charitable organizations such as groups which are tax exempt pursuant to the Internal Revenue Code.

2. SIGN, NON-COMMERCIAL CHARITY EVENT: A temporary sign structure designed and intended to promote, support, call attention to, or give notice to a specific non-commercial event wholly organized by a non-profit individual, charitable organization, political group or other entity that is tax exempt pursuant to the Internal Revenue Code.
3. *SIGN, VEHICLE: A permanent or temporary sign affixed, painted on or placed in or upon any parked vehicle, parked trailer or any parked device capable of being towed, which is displayed in public view under such circumstances as to location on the premises, time of day, duration, availability of other parking space on the premises, and the proximity of the vehicle to the area on the premises where it is loaded, unloaded or otherwise carries out its principal function, which circumstances indicate that the primary purpose of said display is to attract the attention of the public rather than to serve the business of the owner thereof in the manner which is customary for said vehicle.*

Article IV. Amend Section 6.03 – Southern Shores Zoning Ordinance – Regulations Governing Signs

Subsection C of Section 6.03 of the Southern Shores Zoning Ordinance is hereby amended as follows:

C. Building Permit Required

1. No sign shall hereafter be erected or attached to, suspended from, or supported on a building or structure nor shall any existing sign or outdoor advertising structure be structurally altered, remodeled or relocated until a building permit for same has been issued by the Building Inspector. No permit is required for signs enumerated in Subsection H or any sign not exceeding three (3) feet in area.
2. Application for building permit and a scale drawing of the proposed sign will be submitted through the Planning Board to the Town Council for approval.
3. Subsection 2 above shall not apply to non-commercial charity event signs.

Article V. Amend Section 6.03 – Southern Shores Zoning Ordinance – Regulations Governing Signs

Subsection J of Section 6.03 of the Southern Shores Zoning Ordinance is hereby amended as follows:

J. Non-Commercial Signs

Non-commercial signs, except non-commercial charity event signs, shall be allowed in all districts on vacant and developed lots, subject to the following limitations:

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1. *No sign shall exceed sixteen (16) square feet in area on each side and shall not be illuminated.*
2. *No sign shall exceed ten (10) feet in height above street grade.*
3. *The side yard and front yard setback from any property line shall be at least five (5) feet. In the case of a corner lot, to ensure adequate sight clearance, for a distance of not less than forty (40) feet from the point of intersection of the intersecting right-of-way lines, the side yard and front yard setback shall be no less than fifteen (15) feet.*
4. *Such signs shall be displayed only for eight (8) weeks prior to the non-commercial event and shall be taken down within three (3) calendar days after the event.*
5. *Political campaign signs shall be allowed to be displayed under the following conditions:*
 - a. *Political campaign signs shall be displayed for no more than four (4) weeks prior to an election.*
 - b. *Signs must be removed within three (3) days after an election.*
 - c. *Maximum sign dimension is 24"x36" (Assumes standard wire type).*
 - d. *Signs shall be temporary, no permit required, and shall not be illuminated.*
 - e. *Signs shall not be placed on utility poles, trees or traffic signs.*
 - f. *Signs may be located on private property or vacant or developed lots with the owner's permission and on the public right-of-way, no closer than eight (8) feet from the roadway, with the adjacent lot owner's permission.*
 - g. *A maximum of one sign per candidate per lot, or adjacent to a lot in the right-of-way, will be allowed.*

Article VI. Amend Section 6.03 – Southern Shores Zoning Ordinance – Regulations Governing Signs

There is hereby created Sub-section K. of Section 6.03 of the Southern Shores Zoning Ordinance.

K. Non-Commercial Charity Event Signs

Non-commercial charity event signs shall be allowed in all districts on vacant and developed lots, subject to the following limitations:

1. No sign shall be erected without the organizing group or person first obtaining a permit from the Town. Such permit shall include the name, signature, address and other contact information of the person making application, the name of the organization and written proof of its status exempt from taxes under the Internal Revenue Code, the date of the event, a clear description of the sign to be erected, and such other information as the Town Manager shall require.
2. Signs shall be of a temporary "banner type" sign; shall be made of a flexible or plasticized cloth, plastic or similar materials; and shall not be attached to the ground or any other structure with the purpose of being more than a temporary fixture.
3. Sponsor logos may appear on a non-commercial charity event sign but such logos shall be subordinate to the principle message of the sign and, in aggregate, sponsor logos shall not exceed fifteen percent (15%) of the total area of one side of the sign.

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4. No sign shall have an area greater than sixty (60) square feet on any one side and no one side shall have a length greater than ten (10) feet. No sign shall have more than two sides containing any message or sponsor logo.
5. No sign shall be installed having a top height greater than ten (10) feet.
6. No sign shall be erected or installed in a Town right-of-way or on other Town-owned right-of-way unless the event is organized by the Town.
7. No sign shall be erected or installed more than four (4) weeks prior to the date of the event and the sign shall be removed no later than four (4) days upon conclusion of the event. One sign shall only be located on the site where the charity event is occur.
 - a. The Town Manager may approve a non-commercial charity event to be located off the site where the event is to occur but only upon making the following written findings:
 - (1) The group organizing the charity event has made a written request for an off-site sign location prior to erecting the sign.
 - (2) The group organizing the charity event provides the Town Manager with written permission from the owner that the non-commercial charity even sign may be placed upon the property.
 - (3) The charity event will occur within the Town of Southern Shores;
 - (4) The organization hosting the charity event has a substantial nexus within the Town of Southern Shores;

Article VII. Severability

If any words, phrases, language, section or other portion of this Ordinance is held invalid by a court of competent jurisdiction, then all remaining words, phrases, language, section or other portion of this Ordinance shall remain in full force and effect.

Article VIII. Effective Date

This Ordinance is effective immediately upon adoption.

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Adopted this the ____th day of ____ 2006.

Don Smith, Mayor

ATTEST:

Carrie Gordin, Town Clerk

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DATE OF FINAL RECOMMENDATION BY PLANNING BOARD

FEBRUARY 20, 2006

DATE INTRODUCED BY TOWN COUNCIL:

DATE(S) ADVERTISED:

_____, _____

NAME OF NEWSPAPER:

DATE OF PUBLIC HEARING:

DATE APPROVED BY TOWN COUNCIL:
